

## HUMAN SERVICES BOARD

## INTRODUCTION

## FINDINGS OF FACT

3. In light of this income the Department denied the petitioner's application because the family was staying with relatives and was not facing an eviction or any other

catastrophic situation (see *infra*). The petitioner applied for Food Stamps at that time, which were subsequently granted. A concurrent application for RUFA benefits was still pending as of the date of the hearing in this matter (February 3, 2004).

ORDER

The Department's decision is affirmed.

REASONS

The EA and GA regulations provide that households with income in the last 30 days in excess of the Reach Up Financial Assistance (RUFA) maximum can only receive additional financial assistance if they are experiencing a "catastrophic situation". See W.A.M. §§ 2600 *et. seq.* and 2800 *et. seq.* The petitioner's reported income in the 30-day period prior to her application (\$2,150) was far in excess of the RUFA payment level of \$639 for a three-person household. W.A.M. §§ 2244-2249.

The regulations limit defined catastrophic situations to the following:

1. Death of a spouse or a minor dependent child.
2. The presence of an emergency medical need . . .

3. A natural disaster such as a flood, fire, or hurricane.
4. A court-ordered or constructive eviction . . . due to circumstances over which the applicant had no control. . .

W.A.M. 2602.

As set forth above, the petitioner's allegations in this matter do not indicate that she was or is facing the kind of emergency situation contemplated by the above regulations. Unfortunately, EA and GA are not intended to provide supplemental income to meet ongoing, but non-emergency, basic living expenses for individuals who have, or recently had, income from other sources in excess of the program maximum. It must be concluded that the Department's decisions in this matter are in accord with its regulations and must, therefore, be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

# # #